

REMARKS

The present Amendment revises the original claims and adds new claims to further protect the invention. The revisions to the original claims are not being made in view of the Tew et al reference, for reasons that will be discussed in more detail below. Instead, the original claims are being revised to improve their form and to delete unnecessary limitations. For example, "continuously" in independent claims 1 and 4 is being changed to "steadily" for the purpose of greater conformity to the disclosure. Step (c) in independent claim 1 is being modified to improve its definiteness and also to avoid any implication that the energy level must change for each bit rank. Dependent claim 10 is being cancelled since it is redundant with respect to its independent claim (that is, claim 8), and dependent claim 9 is being cancelled because it is inconsistent with independent claim 8.

New claims 11 and 12 depend from independent claim 8, and recite different colors (claim 11) and light impinging from different directions (claim 12). New claims 13-17 (claim 13 is independent) are directed to illumination of a spatial light modulator with short-duration flashes of light having different intensity levels, and with the light impinging on the spatial light modulator at an acute angle. New claims 13-14 are supported (for example) by Figures 1 and 4 of the present application's drawings, and the associated discussion in the specification.

The Office Action rejects all of the original claims under 35 USC 102 for anticipation by Tew et al. The Tew et al reference will hereafter be called simply "Tew." The problem with this rejection is that Tew is not prior art with respect to the rejected claims. The application that matured into the Tew patent was filed in 1998, based on an earlier provisional application that was filed in 1997. The present application, however, is a continuation-in-part of two of Applicant's earlier applications, one of which was filed in 1995.

The application that Applicant filed in 1995 matured into patent 6,348,907. The '907 patent supports all of the independent claims, which should thus be accorded a 1995 date of

invention. In particular, independent claims 1 and 4 are supported (for example) by the fourth embodiment disclosed in the '907 patent (see columns 10-12 of the patent). Independent claim 8 and new independent claim 13 are supported (for example) by the first embodiment (see columns 3-8 of the patent).

Since all of the independent claims in this application are entitled to a date of invention that precedes Tew's affecting filing date, the Tew patent is not prior art under 35 USC 102 (e) with respect to the independent claims. The rejections for anticipation should therefore be withdrawn.

Reconsideration of this application in view of the foregoing is respectfully requested

Respectfully submitted,



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